

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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The Authors Guild, Inc., Associational Plaintiff,	:
Betty Miles, Joseph Goulden, and Jim Bouton,	:
individually and on behalf of all others similarly	:
situated,	:
	:
Plaintiffs,	:
	:
v.	:
	:
Google Inc.,	:
	:
Defendant.	:
	:
	:

----- X

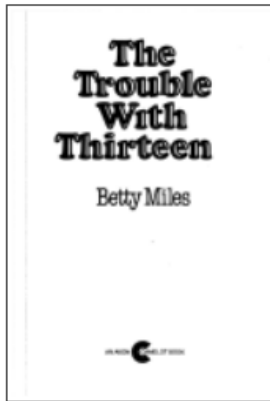
Case No. 05 CV 8136-DC

**EXHIBIT**

**3**

**TO THE DECLARATION OF MICHAEL J. BONI IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO DEFENDANT GOOGLE'S MOTION FOR SUMMARY JUDGMENT**

## The Trouble with Thirteen



g+1 0

Betty Miles

★★★★★

11 Reviews

Avon, Sep 1, 1980 - Juvenile Fiction - 116 pages

Twelve-year-old Annie is unwilling to face some major changes in her life.

### Common terms and phrases

Angela Annie Anyway Aunt Sylvia Barclay beautiful best friend Bruce camera chair **Coke** couch

**Cowboy beans** cuba Dairy Queen dance Debbie doll house door

doughnut dresses driveway ears pierced Erica everything eyes feel felt **fourposter** front funny

girls glad going grabbed guess hugged Janie jumped Kate Kate's Kenny kids kitchen knew laughed

leaned back lettuce lilacs litde looked Madison Marvin minute miss Mom's move neat nice

nightgown Nora Nora's old dog pajamas party Peter James photo booth picture

porch pretty probably pulled Rach Rachel asked Rachel looked Rachel put Rachel took rack seemed

shouted sleeping smiled sorry sort stared started steps stopped stuff stupid suddenly sure talk tell Thanks

things thought trying turned walked wearing Weiss What's wheezing wish wondered worry Yeah yelled York

City

## From inside the book

12 pages matching **angela** in this book

Page 29

and Angela and Janie crowding over after her.

"What?" Rachel sat up straighter. I could see she didn't want them to notice anything.

"Mom's letting me get my ears pierced, for my

Page 40

"I don't know. I wasn't that sure I wanted to."

"Did anyone, besides Kate?"

"Not yet. Angela still might."

I was relieved. It was good not to be the only one

Page 50

But just when I got relaxed, Debbie had to jump up and start looking through Kate's records. "I've gotta hear this!" she said, holding one up.

As soon as Kate put it on, Debbie began wiggling

## From inside the book

6 pages matching **twelve** in this book

Page 7

me I'm turning into a young lady. But I don't want to turn into anything, yet. Anyway, not so fast.

Some kids in our class do. Kids like Debbie Goldstein and Iris McGee. They act as though they just

Page 20

gardening, jogging, woodworking, climbing mountains in Vermont. He makes us special birthday cards with little cartoon pictures. My twelve-year-old card had a raccoon and a skunk with balloons coming out

Page 37

"Boy, I hate to think how much noise five twelve-year-old girls are going to make. I'm glad *I* don't have to be there."

"So am I," I said quickly. "So is everyone. The very

## From inside the book

90 pages matching **thirteen** in this book

Page 8

are funny, but we do.

We like the same books, too. *Little Women* is our favorite. Rachel's read it thirteen times and I've read it fourteen. We've read all the *Little House* books over

Page 12

son, but his way makes him look like he's actually quite sophisticated.

"What are you getting Kate for her birthday?" I asked. Kate was going to be thirteen on Saturday. She

Page 51

"Really?" I took a bigger step and tried to move my arms like Kate and Janie. "I can't even imagine being *thirteen!*"

"I know it." Sue stopped jumping around. "Still, I

## From inside the book

19 pages matching **school** in this book

Page 27

home. You'd hate it in the city. In some dark little apartment with no yard or anything. You'd have to go to a new school. Kids would ignore you, or else beat you up. You could get mugged on the street—"

Page 28

Barclay School? It's supposed to be so exclusive. I wondered if Rachel would start acting snotty if she went there. Maybe she wouldn't want me to meet her new friends. Probably she'd start wearing sappy

Page 55

Barclay!

"I didn't know you were going to do that!"

"I didn't either. Mom just called them up and they said to come over. School was out, but the director

## From inside the book

8 pages matching **class** in this book

Page 7

me I'm turning into a young lady. But I don't want to turn into anything, yet. Anyway, not so fast.

Some kids in our class do. Kids like Debbie Goldstein and Iris McGee. They act as though they just

Page 8

that, Rachel said. I guess she thinks it's sophisticated. Like reading *Seventeen*."

Iris has a subscription to *Seventeen*. She brings it to school and passes it around in class. She never passes

Page 30

thinking of it. Compared with Rachel moving it was such a little thing, but it bothered me. I wondered whether Kate turning thirteen would make all the kids start acting different. Maybe in later, they would be

## From inside the book

12 pages matching **friend** in this book

Page 28

year. Aunt Sylvia has a friend whose kids go to Barclay. She says they love it. I'm going to the city this

Page 90

dragging me around like some big New York expert, making me feel stupid. It hurts my feelings!"

"I'm *sorry* if I hurt your *feelings*," Rachel leaned back against the stone window. "I'm *sorry* if I made



## From inside the book

11 pages matching **friends** in this book

Page 28

**Barclay School? It's supposed to be so exclusive. I wondered if Rachel would start acting snotty if she went there. Maybe she wouldn't want me to meet her new friends. Probably she'd start wearing sappy**

Page 90

Page 90

Page 94

**you'll all be happy."**

**I never thought before about all the people who could feel sad when two people get divorced. Not only their children. but their friends and their family. I**

## From inside the book

36 pages matching **annie** in this book

Page 97

**Annie. Denny and Clay's marriage wasn't a waste!**  
**They had a lot of good years and a lot of love. And they**

Page 106

The book was upside down. I can't ever wrap a book so  
the title comes out on top.

Rachel turned it over. Then she gasped. "Oh,  
*Annie!* Oh, wow, that's so neat! *Thanks!*" She opened

## From inside the book

3 pages matching **fall** in this book

Page 13

could happen, like Peter James' father."

Peter is Kenny's best friend. He lives on our block. His father had a heart attack on the golf course one day last fall and iust suddenly died.

Page 17

Page 28

fast, so we know what part of the city to move to. Sylvia says I have to apply practically this minute if I want to get into Barclay next fall. See, they don't accept that many kids for eighth grade. Most kids just

## From inside the book

34 pages matching **nora** in this book

Page 4

Our best article idea so far was "You *Can* Teach an Old Dog New Tricks." I thought it up. Nora was perfect for the article because she's ten years old and she never learned tricks when she was young. Mr.

Page 5

laps, panting.

I scratched her behind the ear. "You're a dumb old dog, that's what you are."

Nora wriggled appreciatively. In the sun, her fur

Page 65

Before I even called her.

I tried to squash the feeling down. I started to look for Nora in her favorite sleeping places: the chair she wasn't supposed to lie in, the hall rug, the foot of my

## From inside the book

6 pages matching **pajamas** in this book

Page 23

Kate's mother.

"Mom! It's a *sleep-over* party. We'll wear pajamas the whole time!"

"You should have some new pajamas, too." Mom

Page 32

better. I knew Kate would like it.

Bamberger's pajama department is called Night Life. They had racks and racks of nylon pajamas with bikini pants and smock tops. I would never wear

## From inside the book

2 pages matching **summer** in this book

Page 101

...

Page 102

day this summer you and Ken and I could bike out to Blue Lake," he said. "If you wanted to."

I was surprised. He must have noticed I was getting older. "Sure, neat," I said, too pleased to try to act cool.

"

## From inside the book

1 page matching **teacher** in this book

Page 14

**beautiful. She looks like a fashion model, which is what she was before she got to be a nursery school teacher. Rachel says she hated it, except that's how she met Mr. Weiss.**

## From inside the book

16 pages matching **best** in this book

Page 5

**was the exact color of honey.**

**Rachel stroked Nora's back. Rachel doesn't have a dog, so she shares Nora with me. Nora loves her next best to anyone in our family. Maybe she thinks**

## From inside the book

67 pages matching **rachel** in this book

Page 5

**Rachel** back to the steps and scrambled up across our

## From inside the book

4 pages matching **teen** in this book

Page 8

**just says that so we'll match.**

Anyway, the same things strike us funny. Like words that bother you when you read them. Rachel's worst example is the way the *o*'s don't match in *good*



## From inside the book

16 pages matching **dog** in this book

Page 4

~~Our best article~~  
Our best article idea so far was "You *Can* Teach an Old Dog New Tricks." I thought it up. Nora was perfect for the article because she's ten years old and she never learned tricks when she was young. Mr.

## From inside the book

45 pages matching **mom** in this book

Page 22

"I'm not kicking her. I'd just like to move around in here without bumping into her, for once."

Mom and Dad came in. "Oh, kids," said Mom, "cut it out, will you? Let's have a pleasant meal."

## From inside the book

9 pages matching **move** in this book

Page 51

**"Really?" I took a bigger step and tried to move my arms like Kate and Janie. "I can't even imagine being *thirteen!*"**

**"I know it." Sue stopped jumping around. "Still, I**

## From inside the book

5 pages matching **iris** in this book

Page 8

**after I heard Iris and some kids talking about it in the girls' room. It sounded stupid.**

**"I don't know why she wants to read things like that," Rachel said. "I guess she thinks it's sophisticated."**

## From inside the book

19 pages matching **sue** in this book

Page 51

**"Well, Annie, want to try?" Sue jumped up.**  
**"Sure I guess." I stood up carefully, smoothing my**

## From inside the book

2 pages matching **"dairy queen"** in this book

Page 4

**worry about training Nora. But she's very intelligent.**  
**She's probably the only dog in the world who knows**  
**what "Dairy Queen" means. If you even whisper those**  
**words, she runs to the car and tries to jump in. A dog**

## From inside the book

9 pages matching **"aunt sylvia"** in this book

Page 96

**them. I would much rather have stayed with Aunt  
Sylvia "You go first " I told Rachel I leaned back**

## From inside the book

19 pages matching **debbie** in this book

Page 41

**across the hall into the dining room. Debbie Goldstein  
was standing there!**

**I couldn't believe it. Kate never said anything about  
Debbie coming. Her mother must have made Kate ask**

## From inside the book

4 pages matching **pierced** in this book

Page 51

guess it's not all that different. Look at Kate."

It was true. Except for the pierced ears, and the dancing, Kate seemed about the same. "Yeah. You don't have to change overnight or anything" I

## From inside the book

28 pages matching **kenny** in this book

Page 22

"That dog's a real drag sometimes," Kenny said, pushing her out of the way.

"She is not! And you don't have to *kick* her!" I said quickly.

## From inside the book

24 pages matching **kate** in this book

Page 41

**"Happy Birthday!" we yelled. Angela began giving  
Kate thirteen hits and we crowded around and nitched**

## From inside the book

37 pages matching **looked** in this book

Page 32

**person who puts you down. But I wanted to get her  
something really good. Finally in the Indian store I  
saw a blue enamel bracelet that looked quite elegant  
and only cost four dollars. After I bought it I felt much**

## From inside the book

11 pages matching **girls** in this book

Page 37

YOU LOOK NICE, HON, MOM said encouragingly.  
"You're going to have a wonderful time, I know. How many girls did Kate invite?"  
"Five, I think. Except now Rachel won't be there."

Page 48

people wouldn't say it, especially girls. It's like calling your own body stupid

Page 84

screaming around the curves. At 1200H Street a bunch of black girls with Afros and high wedge shoes burst on and grabbed straps above us. They were shouting and kidding around about one girl's boy

## From inside the book

28 pages matching kids in this book

Page 27

home. You'd hate it in the city. In some dark little apartment with no yard or anything. You'd have to go to a new school. Kids would ignore you, or else beat you up. You could get mugged on the street—"

Page 28

year. Aunt Sylvia has a friend whose kids go to Barclay. She says they love it. I'm going to the city this

Page 104

"I *will*, though!" Even as I said it I wasn't positive. It's hard to predict how you'll feel. Before, I used to think you could.

"You know how, in books, the kids put their doll



## From inside the book

19 pages matching **yeah** in this book

Page 88

**Yeah. She turned away quickly and started looking at books. I pretended to look through the posters but I couldn't concentrate. After a few minutes I went over and tapped her shoulder.**

Page 91

**those dresses cost?"**

**"Yeah." I opened the door for her and waved her in.**

**The saleswoman was standing right inside. I wondered if she'd heard us fighting, but she didn't say**

Page 104

**"Yeah, but we could start on it now, and then each of us do more and put it together the next time."**

## From inside the book

2 pages matching **lilacs** in this book

Page 66

the smell of the lilacs and the chill of the ground and the sight of Nora's stomach swelling out with every wheeze. I wanted to hold her tight so she couldn't wheeze any more. I wanted to carry her to some warm

Page 67

I took her into my arms very carefully and crawled slowly out of the lilacs. Branches scraped against my face. I carried her to the house and set her down in the old sling chair on the back porch. Then I ran upstairs

## From inside the book

2 pages matching **lettuce** in this book

Page 18

**goes."**

**"Rachel minds." I pulled the lettuce out of the refrigerator drawer. "You know what, Ken?" I couldn't stop myself. "Rachel thinks her parents might get a**

Page 64

**the print shop and Kenny would be home late. She asked me to start dinner. I took the lamb chops out of the fridge and peeled some carrots and cut them up and started washing lettuce for a salad. I was patting**

## From inside the book

17 pages matching **anyway** in this book

Page 8

~~just says that so we'll match.~~

Anyway, the same things strike us funny. Like words that bother you when you read them. Rachel's worst example is the way the o's don't match in *good*

Page 34

~~different and express the same thing. Isn't the color~~  
terrific?" I asked. "Don't you just love it?"

"It's nice and bright, anyway." Mom sounded as though she was trying hard to be tactful. "Have you looked at everything here?"

Page 58

"Well, I don't, but Sue and I started to because everyone else was, and it was pretty easy, really, once we got the hang of it. Anyway, we're going to practice together this week so we'll be experts pretty soon—" I

## From inside the book

11 pages matching **beautiful** in this book

Page 77

Page 77

Page 99

rolling around on the sawdust in the window. They were small and pudgy with little bare pink stomachs. They were so cute I wanted to cry.

"That black eyed one is best," Bruce said. "He has

Page 106

it's a beautiful package," she said shyly. Neither of us had any practice with good-bye gifts before.

"Open it!"

Rachel untied the ribbon and pulled the paper off.

## From inside the book

4 pages matching **barclay** in this book

Page 28

year. Aunt Sylvia has a friend whose kids go to  
Barclay. She says they love it. I'm going to the city this

## From inside the book

11 pages matching **chair** in this book

Page 12

...and she was very sophisticated and I do think she was quite  
sophisticated.

"What are you getting Kate for her birthday?" I  
asked. Kate was going to be thirteen on Saturday. She

## From inside the book

2 pages matching **bruce** in this book

Page 56

Anyway, that's not all, Rachel went right on. "I met these kids Aunt Sylvia knows, who go to Barclay. Erica and Bruce. They were so nice, Annie! They weren't stuck-up or anything. They told me a lot of

## From inside the book

3 pages matching **dance** in this book

Page 51

said.

All of a sudden, I got the feeling of how you move when you dance. It just seemed to come to me. The gown swirled around my legs. I was doing it!



## From inside the book

10 pages matching **miss** in this book

Page 67

her body twitched and went still. I tried to hear her heart, but there was no sound. "Nora!" I cried, hugging her close. "Oh, Nora, I'm going to miss you so much!" I missed her terribly already.

Page 68

house. I heard her talking to Dad. He came out to the porch and hugged me.

"I'm sorry, Coke." He bent down and touched Nora gently. "I'm going to miss her," he said. "She was a

Page 73

wishing Nora would run out the door and jump down the steps and throw herself at me with her tail thumping happily against my legs.

One afternoon as I was walking slowly on the